

individuals unable profitably to use them." Continuing, he wrote: "When I see it officially reported that nearly nine hundred claims had already been lodged involving demands for not less than 20,000,000 acres, I cannot think that it would be prudent for Her Majesty's Government to dispense with the direct and wholesome check upon the undue acquisition of land which the former Ordinances had imposed, and which from the earliest Proclamations the settlers must have been led to expect."

54. There were in all 1,050 old land claims. But there were many other transactions which subsequently swelled the area of lands surplus to the Crown. Some of these were the result of the ten-shilling-per-acre pre-emption waiver and subsequently a great many more under the penny-per-acre waiver.

55. In this brief history of New Zealand land transactions we might mention that, quoting from the report of Mr. Commissioner Bell, dated 8th July, 1862: "No one . . . can doubt . . . that the great body of the claimants accepted the Ordinance in perfect good faith and that they were content to abide by its limitations, in consideration of the exchange it gave them of an English title, for a precarious occupation under the law of the strong arm." The subsequent conflicts between Maori and European centred chiefly round land, and in our opinion they might have been avoided if wiser counsels had prevailed, thus preventing much bloodshed, turmoil, and racial bitterness.

56. William Martin, afterwards Sir William Martin, had been appointed as New Zealand's first Chief Justice. He was a man of very high scholastic attainment who always sought to preserve the balance between Maori and European, and to reconcile differences, the solution of which seemed almost insuperable. In conjunction with Selwyn, he set himself the task of persuading the British Government and the colonists of the necessity of strict adherence to the letter and spirit of the Treaty of Waitangi.

57. The Treaty of Waitangi was not accomplished without difficulty, hostility, and opposition by the Maoris as a result of their land claims.

58. Mr. T. Lindsay Buick, in his book *The Treaty of Waitangi*, page 123, describes, at great length, the ceremony and events leading up to the signing of the Treaty, and we think it of importance to quote these proceedings verbatim as it will be seen that during the ceremony Mr. Busby, who had been the resident officer of Britain in New Zealand for some years, and who was one of the Governor's party, and who had also been closely concerned in the drawing of the Treaty, made a very important statement to the Maori people assembled. At page 126, Mr. Buick writes:—

There being some little hesitancy displayed, Mr. Busby rose and, addressing the Natives, assured them that the Governor had not come to deprive them of their lands, but rather to secure them in possession of what they had not already sold. *He reminded them that he had frequently given them his word that land not properly acquired from them would not be recognized as the property of the person claiming it, but would be returned to the Natives to whom it rightly belonged.* He was proceeding to say that this promise the Governor would of a certainty be prepared to carry out, when suddenly he was interrupted by Te Kemara, a chief of the Ngati-Kawa tribe, who, springing from his place in front of the platform, exclaimed . . .

59. In the following paragraphs it is recounted that several chiefs made hostile and often insulting remarks with reference to those whom they accused of robbing them of their land. They were subsequently overruled by chiefs of superior mana, amongst whom were Hone Heke, Tamati Waaka Nene, and his brother, Patuone.

60. During these speeches, denouncing certain land purchasers, and on these being interpreted to Captain Hobson, he immediately arose, and in the most earnest manner, assured the gathering that: " . . . *lands unjustly held would be returned, and that after the date of the Proclamation all land, however purchased, would be the subject of inquiry, and no purchase would be lawful until sanctioned by the Crown.*"